



Docket No. 003252-052911-#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noth et al.

Serial No.: 10/082,705

Group: 3738

Filed: February 25, 2002

Examiner: To be assigned

For: TRABECULAR BONE-DERIVED HUMAN MESENCHYMAL STEM CELLS

Assistant Commissioner for Patents
Washington, D.C. 20231

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an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 12/12/02

Melissa Kruggel
Melissa Kruggel

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants hereby
submit the publications and/or patents shown on the attached form PTO-1449, for
consideration by the Examiner in connection with the examination of the above-identified
patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- X (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- (2) within three months of the mailing date of the PCT International Search Report; or

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- (3) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$240.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

 X are enclosed herewith; and


— have been cited in the parent application, and are thus not being resubmitted herein.

Early examination and allowance of the present application are respectfully solicited.

FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850 or 14-1138. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



David S. Resnick (Reg. 34,235)
NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110
(617) 345-6057

Date: 12/22/02

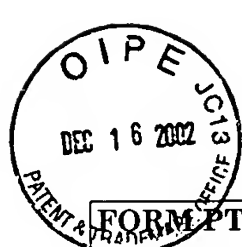


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FORM PTO-1449				DOCKET NO.: 052911		SERIAL NO.: 10/082,705	
INFORMATION DISCLOSURE				APPLICANT(S): Noth et al.			
STATEMENT				FILING DATE: 2/25/02		GROUP NO.: 3738	
UNITED STATES PATENT DOCUMENTS							
EXAM. INITIALS		DOCUMENT NUMBER	DATE	INVENTOR/ASSIGNEE	CLASS	SUBCLASSES	FILING DATE IF APPROPRIATE
	AA	5,197,985	3/30/93	Caplan et al.			
	AB	5,226,914	7/13/93	Caplan et al.			
	AC	6,214,369	4/10/01	Grande et al.			
	AD	5,486,359	1/23/96	Caplan et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASSES	TRANSLATION YES/NO
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
	CA	Bahrami, S., Stratmann, U., Wiesmann, H.P., Mokrys, K., Bruckner, P., Szuwart, T., <i>Anat. Rec.</i> 259:124-130, 2000					
	CB	Beresford, J.N., Graves, S.E., Smoothy, C.A., <i>Am. J. Med. Genet.</i> 45:163-178, 1993					
	CC	Cheng, S.L., Zhang, S.F., Nelson, T.L., Warlow, P.M., Civitelli, R., <i>Calcif. Tissue Int.</i> 55:356-362, 1994					
	CD	Dorheim, M.A., Sullivan, M., Dandapani, V., Wu, X., Hudson, J., Segarini, P.R., Rosen, D.M., Aulthouse, A.L., Gimble, J.M., <i>J. Cell. Physiol.</i> 154:317-328, 1993					
	CE	Gundle, R., Joyner, C.J., Triffitt, J.T., <i>Bone</i> Vol. 16 (6), 597-601, 1995					



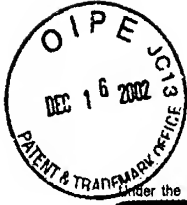
FORM PTO-1449		DOCKET NO.: 052911	SERIAL NO.: 10/082,705
INFORMATION DISCLOSURE		APPLICANT(S): Noth et al.	
STATEMENT		FILING DATE: 2/25/02	GROUP NO.: 3738
CF	Gundle, R., Stewart, K., Screen, J., Beresford, J.N., <i>In: Marrow Stromal Cell Culture</i> , 43-66, 1998		
CG	Jacenko, O., Tuan, R.S., <i>Dev. Biol.</i> 115:215-232, 1986		
CH	Jacenko, O., Tuan, R.S., <i>Dev. Dyn.</i> 202:13-26, 1995		
CI	Kale, S., Long, M.W., <i>Crit. Rev. Euk. Gene Exp.</i> 10:259-271, 2000		
CJ	Lecka-Czernik, B., Gubrij, I., Moerman, E.J., Kajkenova, O., Lipschitz, D.A., Manolagas, S.C., Jilka, R.L., <i>J. Cell. Biochem.</i> 74:357-371, 1999		
CK	Majolagbe, A., Robey, P.G., <i>Developmental Biology Protocols</i> Vol. 3, 391-397, 1999		
CL	Mintz, K.P., Grzesik, W.J., Midura, R.J., Robey, P.G., Termine, J.D., Fisher, L.W., <i>J. Bone Miner. Res.</i> Vol. 8 (8), 985-995, 1993		
CM	Nuttall, M.E., Patton A.J., Olivera, D.L., Nadeau, D.P., Gowen, M., <i>J Bone Miner Res</i> , 13:371-382, 1998		
CN	Osyczka, A.M., Nöth, U., O'Connor, J., Danielson, K.G., Tuan, R.S., <i>Trans Orthop Res Soc</i> , 47:311, 2001		
CO	Reddi, A.H., Cunningham, N.S., <i>J. Bone Miner. Res.</i> Vol. 8 (S2) S499-S502, 1993		
CP	Robey, P.G., <i>Mineralization in Biological Systems</i> , pp 107-127., Ed by E Bonucci, Boca Raton, CRC Press, 1992		
CQ	Robey, P.G., <i>Calcif. Tissue Int.</i> 56 (S1), S11-S12, 1995		
CR	Stein, G.S., Lian, J.B., <i>Endocr. Rev.</i> Vol. 14 (4), 424-442, 1993		
CS	Tontono, P., Hu, E., Graves, R.A., Budavari, A.I., Spiegelman, B.M., <i>Genes Dev.</i> 8 1224-1234, 1994		
CT	Wurzler, K.K., DeWeese, T.L., Sebald, W., Reddi, A.H., <i>J. Craniofac. Surg.</i> Vol. 9 (2), 131-137, 1998		
CU	Yoo, J.U., Barthel, T.S., Nishimura, K., Solchaga, L., Caplan, A.I., Goldberg, V.M., Johnstone, B., <i>J. Bone Joint Surg.</i> Vol. 80-A (12), 1745-1757, 1998		

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		DOCKET NO.: 052911	SERIAL NO.: 10/082,705
		APPLICANT(S): Noth et al.	
		FILING DATE: 2/25/02	GROUP NO.: 3738
	CV	Yoo, J.U., Johnstone, B., <i>Clin. Orthop.</i> 355(S), S73-S81, 1998	

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/082,705
	Filing Date	February, 25, 2002
	First Named Inventor	Noth et al.
	Group Art Unit	3738
	Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number	003252-052911

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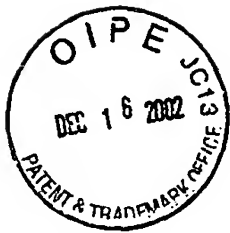
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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449; References AA through AD and CA through CV; Certificate of Mailing; Return Receipt Postcard.
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.	

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David S. Resnick (Reg.No. 34,235) NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110
Signature	
Date	12/12/02

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